

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 13, 2022

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DOUGLAS D. SMITH,

Defendant - Appellant.

No. 22-2142

(D.C. No. 1:18-CR-03495-JCH-1)

(D. N.M.)

ORDER

Before **HOLMES**, Chief Circuit Judge.

This matter is before the Court on Appellant's Motion to Continue Appointment. Upon consideration, the motion is granted. Pursuant to 18 U.S.C. §3006A, the Federal Public Defender for the District of New Mexico is appointed as counsel of record to represent the appellant Douglas D. Smith. This appointment is effective *nunc pro tunc* to the date the notice of appeal was filed in this matter.

Entered for the Court



CHRISTOPHER M. WOLPERT, Clerk

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

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Christopher M. Wolpert
Clerk of Court

Jane K. Castro
Chief Deputy Clerk

December 13, 2022

Mr. Aric Grant Elsenheimer
Office of the Federal Public Defender
District of New Mexico
506 South Main Street, Suite 400
Las Cruces, NM 88001

RE: 22-2142, United States v. Smith
Dist/Ag docket: 1:18-CR-03495-JCH-1

Dear Counsel:

You have been appointed as counsel for appellant pursuant to the Criminal Justice Act, 18 U.S.C. 3006A. The order appointing you has been docketed in the above-referenced appeal. If an adverse decision is rendered you must advise your client of the right to seek review of this court's decision by petition for certiorari. If the client requests, and you believe a petition to be legally sound, you must file one with the clerk of the Supreme Court of the United States. *See* Criminal Justice Act Plan, 10th Cir. R., Addendum I.

Please contact this office if you have questions.

Sincerely,



Christopher M. Wolpert
Clerk of Court

cc: Kyle Nayback
Novaline D. Wilson

CMW/sds